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***Counsel for Plaintiffs***

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

This Document Relates to:

*Grier v. Uber Technologies, Inc., et al; 3:23-cv-05960-CRB*

*Rivera v. Uber Technologies, Inc., et al; 3:25-cv-03285-CRB*

Case No.: 3:23-md-03084-CRB

Hon. Charles R. Breyer

**PLAINTIFFS' MOTION TO  
RECONSIDER ORDER DISMISSING  
CASES FOR FAILURE TO COMPLY  
WITH PTO 10**

Date: December 12, 2025

Time: 10:00 a.m.

Courtroom: 6 – 17<sup>th</sup> Floor

**1. INTRODUCTION**

On October 20, 2025, Defendants filed a Motion to Dismiss the claims of the above-captioned Plaintiffs on the grounds that Plaintiffs have failed to comply with Pretrial Order (“PTO”) No. 10. See *Docket No. 3731*. PTO 10 establishes procedures and deadlines related

1 to the production of Plaintiff Fact Sheets. *See Docket No. 348*. Further, on November 3, 2025,  
2 Plaintiffs filed an Opposition to Defendants Motion to Dismiss. *See Docket No. 4291*. On  
3 November 19, 2025, this Court issued an Order dismissing without prejudice all claims  
4 identified in Exhibit A of Defendants’ Motion to Dismiss and requiring that counsel for  
5 Plaintiffs file notices of dismissal and serve a Rule 26(g) Certification within 14 days of the  
6 date of the Order. *See Docket No. 4442*. Plaintiffs now submit this Motion to Reconsider this  
7 Court’s Order as it relates to the above captioned Plaintiffs.  
8

## 9 II. ARGUMENT

### 10 A. Plaintiffs Rivera and Grier have complied with PTO 10.

11 Plaintiff Rivera served her Plaintiff Fact Sheet (“PFS”) verification via MDL Centrality on  
12 November 18, 2025. *See MDL-Centrality document number 167905*. Further, on November  
13 19, 2025, Plaintiffs’ Counsel notified Uber of the submission of Plaintiff Rivera’s signed  
14 verification and requested that Uber remove Plaintiff Rivera from their Motion to Dismiss.

15 Counsel also reminds the Court of Plaintiff Rivera’s incarceration which was detailed in  
16 Plaintiff’s Opposition to Defendants’ Motion to Dismiss. *See Docket No. 4291*. While  
17 communication with Plaintiff Rivera has been incredibly difficult, Counsel underwent  
18 extensive efforts to contact her regarding her discovery obligations under PTO 10, which she  
19 has now done.

20 Prior to the Court’s dismissal Order, Plaintiff Grier served her Plaintiff Fact Sheet (“PFS”)   
21 verification via MDL Centrality on November 19, 2025. *See MDL-Centrality document*  
22 *number 168192*. Counsel’s extensive efforts to communicate with Ms. Grier about her PTO 10  
23 obligations were also detailed in Plaintiff’s Opposition to Defendants’ Motion to Dismiss. *See*  
24 *Docket No. 4291*. While communication with Plaintiff Grier has been difficult, she has now  
25 fully complied with her PTO 10 discovery obligations.  
26  
27  
28

Given that Plaintiffs Rivera and Grier have fully complied with their PTO 10 discovery obligations, Plaintiffs respectfully request that the Court reconsider dismissal of their cases and remove them from the dismissal Order, *Docket No. 4442*. Counsel for Plaintiffs believes that a reconsideration of the Order dismissing their cases is warranted as dismissal is unduly prejudicial to the Plaintiffs.

### III. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that this Court amend the Order dismissing cases for failure to comply with PTO 10 to remove Plaintiffs Rivera and Grier.

Dated: November 26, 2025

Respectfully Submitted by:

/s/ Rachel Abrams

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**CERTIFICATE OF SERVICE**

I hereby certify that, on November 26, 2025, I electronically filed the following with the Clerk of the Court using the CM/ECF System, which will send notification of such filing via electronic mail to all counsel of record as maintained in the CM/ECF electronic system.

Dated: November 26, 2025

Respectfully Submitted by:

/s/ Rachel Abrams

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